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Senate Finance & Claims HB 145 Hearing

Grant Criteria:

- High predation areas
- Dual purpose (areas containing both grizzly bears and wolves)
- Use of multiple prevention methods
- Number of livestock covered by the project
- Surface area covered
- Maintaining existing projects
- Number of livestock owners covered by a project

Grant monitoring and reporting

2-15-3113. Additional powers and duties of livestock loss board. (3) The livestock loss board shall:

(a) coordinate and share information with state, federal, and tribal officials, livestock producers, nongovernmental organizations, and the general public in an effort to reduce livestock losses caused by wolves and grizzly bears;

(b) establish an annual budget for the prevention, mitigation, and reimbursement of livestock losses caused by wolves and grizzly bears;

(c) perform or contract for the performance of periodic program audits and reviews of program expenditures, including payments to individuals, incorporated entities, and producers who receive loss reduction grants and reimbursement payments;

(d) adjudicate appeals of claims;

(e) investigate alternative or enhanced funding sources, including possible agreements with public entities and private wildlife or livestock organizations that have active livestock loss reimbursement programs in place;

(f) meet as necessary to conduct business; and

(g) report annually to the governor, the legislature, members of the Montana congressional delegation, the board of livestock, the fish and wildlife commission, and the public regarding results of the programs established in [2-15-3111](#) through [2-15-3113](#)

Tribal Agreements:

2-15-3113. Additional powers and duties of livestock loss board. (2) The livestock loss board may enter into an agreement with any Montana tribe, if the tribe has adopted a wolf or grizzly bear management plan for reservation lands that is consistent with the state wolf or grizzly bear management plan, to provide that tribal lands within reservation boundaries are eligible for mitigation grants pursuant to [2-15-3111](#) and that livestock losses on tribal lands within reservation boundaries are eligible for reimbursement payments pursuant to [2-15-3112](#).

Livestock Loss Board Accounts:

81-1-110. Livestock loss reduction and mitigation accounts. (1) There are livestock loss reduction and mitigation special revenue accounts administered by the department within the state special revenue fund and the federal special revenue fund established in [17-2-102](#).

(2) (a) All state proceeds allocated or budgeted for the purposes of [2-15-3110](#) through [2-15-3114](#), [81-1-110](#), and [81-1-111](#), except those transferred to the account provided for in [81-1-112](#) or appropriated to the department of livestock, must be deposited in the state special revenue account provided for in subsection (1) of this section.

(b) Money received by the state in the form of gifts, grants, reimbursements, or allocations from any source intended to be used for the purposes of [2-15-3111](#) through [2-15-3113](#) must be deposited in the appropriate account provided for in subsection (1) of this section.

(c) All federal funds awarded to the state for compensation for wolf or grizzly bear depredations on livestock must be deposited in the federal special revenue account provided for in subsection (1) for the purposes of [2-15-3112](#).

(3) The livestock loss board may spend funds in the accounts only to carry out the provisions of [2-15-3111](#) through [2-15-3113](#).

General accounts used by the board

81-1-111. Livestock loss reduction and mitigation trust fund. (1) The legislature shall provide for a fund, to be known as the livestock loss reduction and mitigation trust fund, to be funded with gifts, grants, reimbursements, appropriations, or allocations from any source.

(2) The principal of the livestock loss reduction and mitigation trust fund shall forever remain inviolate in an amount of \$5 million unless appropriated by a vote of three-fourths of the members of each house of the legislature.

(3) The interest and income generated from the livestock loss reduction and mitigation trust fund must be deposited in the livestock loss reduction and mitigation state special revenue account provided for in [81-1-110](#). The interest and income may be

appropriated by a majority vote of each house of the legislature and may be used only to fund the livestock loss reduction program and the livestock loss mitigation program as provided in [2-15-3111](#) and [2-15-3112](#).

(4) (a) Until the principal of the fund reaches \$5 million, at the end of each biennium, any amount of interest and income from the trust fund that is not used for the livestock loss reduction program or the livestock loss mitigation program must be used to reimburse the state general fund up to \$120,000. Any remaining interest and income must be deposited in the trust fund as principal.

(b) After the principal of the trust fund reaches \$5 million, at the end of each biennium, any amount of interest and income that is not used for the livestock loss reduction program or the livestock loss mitigation program must be deposited in the general fund.

No money has ever been available to be placed into this account

81-1-112. Livestock loss reduction and mitigation restricted account. (1) There is an account in the state special revenue fund established by [17-2-102](#) to be known as the livestock loss reduction and mitigation restricted special revenue account. The account is administered by the department.

(2) Money is transferred to the account from the state general fund pursuant to [15-1-122](#) and is restricted to the purpose of making payments to livestock producers for confirmed and probable livestock losses pursuant to [2-15-3112](#)(2). Money in the account may not be expended for administrative expenses.

(3) The livestock loss reduction and mitigation restricted account is statutorily appropriated, as provided in [17-7-502](#), to the department for the purpose of making payments to livestock producers as provided in subsection (2) of this section.

(Subsection (3) terminates June 30, 2017--sec. 13, Ch. 339, L. 2011.)

This is the account established by HB 622 in the 2011 legislature. Current funding in this account is restricted to verified livestock death loss claims and can not be used for any other purpose.

Technical Notes:

Funds from HB 622, 2011 Legislative session are restricted to payment of death loss claims and cannot be used for loss prevention projects. These funds are contained in the livestock loss reduction and mitigation special revenue account.

Legislative bill drafters modified language in HB 145 to rename the account the "livestock loss mitigation restricted state special revenue account" contained in 15-1-122, MCA.

LIVESTOCK LOSS BOARD



Montana Livestock Board
Livestock Loss Reduction & Mitigation Program
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LOSS PREVENTION GRANT INTRODUCTION

Montana's Livestock Loss Board received \$100,000 dollars from the federal government for livestock loss prevention projects (wolves only). They also received \$25,000 dollars from Defenders of Wildlife for livestock prevention projects (grizzly only).

Anyone may apply to the board for livestock loss prevention grants. All grants issued by the board require a 50% cost share from the applicant. Cost share can be in the form of cash or in-kind contributions. All cost share information must be documented. Receipts for materials are essential.

If your in-kind contribution is labor, you will need to keep time sheets for the individuals working on the project and what value you place on the labor in a per hour basis. If the in-kind contribution is equipment, you will need to supply the number of hours the equipment is used on the project and a per hour value of the equipment. As an example if you used a loader for the project, what would it cost you to rent the piece of equipment for the time needed to complete the project. In essence if you are using in-kind methods to achieve your 50% cost share, you will need to submit how you will be documenting the value. Federal requirements placed upon the board are very strict in that the board will have to show how the 50% cost share was achieved for every dollar the board provided in a grant.

The board will accept grant applications until January 31, 2015. Copies of all grant applications will be provided to board members for review during February 2015. Grants will be awarded by March 2015. Board members have identified three main priorities for grant applications. 1. The project is in a high predation area. 2. The project serves a dual purpose of preventing losses by both wolves and grizzly bears. 3. More than one form of loss prevention is being attempted. This does not mean you will not receive a grant if you do not meet the three main criteria but a preference will be given to projects that do meet the criteria. All applicants will be asked their estimation of the effectiveness of the project in December 2015. This information will be used by the board to help them identify effective projects in the future.

2-15-3111. Livestock loss reduction program. The livestock loss board shall establish and administer a program to cost-share with individuals or incorporated entities in implementing measures to prevent wolf and grizzly bear predation on livestock, including:

- (1) eligibility requirements for program participation;
- (2) application procedures for program participation and procedures for awarding grants for wolf and grizzly bear predation prevention measures, subject to grant priorities and the availability of funds;
- (3) criteria for the selection of projects and program participants, which may include establishment of grant priorities based on factors such as chronic depredation, multiple depredation incidents, single depredation incidents, and potential high-risk geographical or habitat location;
- (4) grant guidelines for prevention measures on public and private lands, including:
 - (a) grant terms that clearly set out the obligations of the livestock producer and that provide for a term of up to 12 months subject to renewal based on availability of funds, satisfaction of program requirements, and prioritization of the project;
 - (b) cost-share for prevention measures, which may be a combination of grant and livestock producer responsibility, payable in cash or in appropriate services, such as labor to install or implement preventive measures, unless the board adjusts the cost-share because of extenuating circumstances related to chronic or multiple depredation; and
 - (c) proactive preventive measures, including but not limited to fencing, fladry, night penning, increased human presence in the form of livestock herders and riders, guard animals, providing hay and dog food, rental of private land or alternative pasture allotments, delayed turnouts, and other preventive measures as information on new or different successful prevention measures becomes available; and
- (5) reporting requirements for program participants to assist in determining the effectiveness of loss reduction relative to each grant.

PREVENTIVE MEASURES

Check all methods used by this grant application:

- ☐ Fencing ☐ Fladry ☐ Night Penning ☐ Herders or Riders ☐ Guard Animals ☐ Hay or Dog Food
☐ Rental of Pasture ☐ Delayed Turnouts ☐ Other _____

PROPOSED BUDGET TOTAL

Grant Funds Requested

\$

Total Matching Funds

\$

PROJECT DESCRIPTION

Identify the need or opportunity that exists:

PROPERTY DESCRIPTION

_____ Township _____ Range _____ Section

Allotment Name if available: _____

- ☐ Private Property ☐ Public Property ☐ Federal Owned ☐ State Owned

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